

ASSEMBLY BILL NO. 229—ASSEMBLYMEN BACHE, PERKINS, LESLIE, GIBBONS, GIUNCHIGLIANI, ANDERSON, ARBERRY, BEERS, BERMAN, BROWER, BROWN, BUCKLEY, CARPENTER, CEGAVSKE, CLABORN, COLLINS, FREEMAN, GOLDWATER, HETTRICK, HUMKE, KOIVISTO, LEE, MCCLAIN, MORTENSON, NEIGHBORS, NOLAN, PARKS, PARNELL, PRICE, SMITH, TIFFANY, VON TOBEL AND WILLIAMS

FEBRUARY 23, 2001

JOINT SPONSORS: SENATORS WIENER, NEAL, CARE, RAWSON, O'CONNELL, AMODEI, CARLTON, COFFIN, MATHEWS, MCGINNESS, PORTER, SCHNEIDER, SHAFFER AND TITUS

Referred to Committee on Transportation

SUMMARY—Authorizes department of motor vehicles and public safety to design, prepare and issue special license plates upon request in certain circumstances. (BDR 43-55)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; authorizing the department of motor vehicles and public safety to design, prepare and issue special license plates upon request; limiting the number of different designs of special license plates that the department may issue; providing in certain circumstances for the withdrawal from use of a particular design of special license plate; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 482 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 6, inclusive, of this act.
3 **Sec. 2.** *The legislature hereby finds and declares that:*
4 1. *The large and growing number of special license plates that have*
5 *been approved for issuance in this state threatens to interfere with the*
6 *ability of law enforcement officers to perform their duties effectively*



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1 *because such officers may not be able to identify quickly a special license*
2 *plate as one that has been issued by the State of Nevada.*

3 *2. The public interest of the State of Nevada is served by limiting the*
4 *number of additional special license plates that are issued.*

5 *Therefore, if a new special license plate is authorized by an act of the*
6 *legislature after January 1, 2003, the legislature will direct that the*
7 *license plate not be designed, prepared or issued by the department*
8 *unless the department receives at least 2,000 applications for the*
9 *issuance of that plate within 2 years after the effective date of the act of*
10 *the legislature that authorized the plate.*

11 **Sec. 3.** *1. A person may request that the department design,*
12 *prepare and issue a special license plate by submitting an application to*
13 *the department.*

14 *2. An application submitted to the department pursuant to*
15 *subsection 1:*

16 *(a) Must be on a form prescribed and furnished by the department;*

17 *(b) Must be accompanied by a petition containing the signatures of at*
18 *least 250 persons who wish to obtain the special license plate;*

19 *(c) Must specify whether the special license plate being requested is*
20 *intended to generate financial support for a particular cause or*
21 *charitable organization and, if so, the name of the cause or charitable*
22 *organization; and*

23 *(d) May be accompanied by suggestions for the design of and colors to*
24 *be used in the special license plate.*

25 *3. The department shall not design and prepare a special license*
26 *plate requested pursuant to subsection 1 if:*

27 *(a) The department receives fewer than 1,000 applications for the*
28 *issuance of the plate within 2 years after the date on which the*
29 *department received the initial application for the design, preparation*
30 *and issuance of the plate pursuant to subsection 1;*

31 *(b) The department determines that the special license plate is*
32 *inappropriate or not feasible; or*

33 *(c) The design and preparation of the special license plate is*
34 *prohibited pursuant to paragraph (b) of subsection 1 of section 5 of this*
35 *act.*

36 *4. Except as otherwise provided in sections 5 and 6 of this act, the*
37 *department may issue special license plates that the department has*
38 *designed and prepared pursuant to this section for any passenger car,*
39 *light commercial vehicle or motorcycle upon application by a person who*
40 *is entitled to license plates pursuant to NRS 482.265 and who otherwise*
41 *complies with the requirements for registration and licensing pursuant to*
42 *this chapter. A person may request that personalized prestige license*
43 *plates issued pursuant to NRS 482.3667 be combined with a special*
44 *license plate issued pursuant to this section if that person pays the fees*
45 *for personalized prestige license plates in addition to the fees for the*
46 *special license plate.*

47 *5. If, during a registration year, the holder of license plates issued*
48 *pursuant to this section disposes of the vehicle to which the plates are*
49 *affixed, the holder shall:*



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1 (a) Retain the plates and affix them to another vehicle that meets the
2 requirements of this section if the transfer and registration fees are paid
3 as set out in this chapter; or

4 (b) Within 30 days after removing the plates from the vehicle, return
5 the plates to the department.

6 **Sec. 4. 1.** If a special license plate is designed, prepared and issued
7 pursuant to section 3 of this act to generate financial support for a
8 particular cause or charitable organization, the department may charge a
9 fee for the initial issuance or renewal, or both, of a set of such special
10 license plates in addition to the fees authorized pursuant to subsection 3
11 of NRS 482.265 and all other applicable registration and license fees and
12 motor vehicle privilege taxes.

13 2. The department shall deposit the additional fees collected
14 pursuant to subsection 1 with the state treasurer for credit to an account
15 created in the state general fund for the benefit of the particular cause or
16 charitable organization for whose financial benefit the special license
17 plate was created. The department shall designate an appropriate state
18 agency to administer the account. The state agency designated by the
19 department to administer the account shall, at least once each quarter,
20 distribute the fees deposited pursuant to this subsection to the particular
21 cause or charitable organization for whose benefit the special license
22 plate was created.

23 3. Money in an account created pursuant to subsection 2 does not
24 lapse to the state general fund at the end of a fiscal year. The interest and
25 income earned on money in such an account, after deducting any
26 applicable charges, must be credited to the account.

27 **Sec. 5. 1.** The department shall not:

28 (a) Issue more than five separate designs of special license plates at
29 any one time pursuant to section 3 of this act; or

30 (b) Design or prepare a new special license plate pursuant to section 3
31 of this act if the provisions of paragraph (a) would prohibit the
32 department from issuing that plate.

33 2. If a special license plate issued pursuant to section 3 of this act is
34 withdrawn from use pursuant to section 6 of this act, that special license
35 plate does not count against the limitation set forth in paragraph (a) of
36 subsection 1.

37 3. The provisions of this section do not prohibit the department from
38 accepting applications and petitions for new special license plates. If the
39 department receives the requisite number of signatures and applications
40 for the design, preparation and issuance of a new special license plate
41 but is prohibited pursuant to subsection 1 from designing, preparing and
42 issuing the plate, the department shall cause the new special license plate
43 to be placed in a queue for design, preparation and issuance at such time
44 as the withdrawal from use of special license plates pursuant to section 6
45 of this act allows a new special license plate to be designed, prepared and
46 issued.

47 **Sec. 6. 1.** Except as otherwise provided in this subsection, on
48 October 1 of each year the department shall, for each separate design of
49 special license plate issued pursuant to section 3 of this act, determine



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1 *the total number of validly registered motor vehicles to which that design*
2 *of special license plate is affixed. The department shall not determine the*
3 *total number of validly registered motor vehicles to which a particular*
4 *design of special license plate is affixed if, on October 1, that particular*
5 *design of special license plate has been available to be issued for fewer*
6 *than 12 months.*

7 2. *Except as otherwise provided in subsection 3, if on October 1 the*
8 *total number of validly registered vehicles to which a particular design of*
9 *special license plate is affixed is less than the number of initial requests*
10 *required for the design and preparation of that special license plate as set*
11 *forth in paragraph (a) of subsection 3 of section 3 of this act, the director*
12 *shall provide notice of that fact to:*

13 (a) *If the plate generates financial support for a cause or charitable*
14 *organization, that cause or charitable organization.*

15 (b) *If the plate does not generate financial support for a cause or*
16 *charitable organization, an entity which is involved in promoting the*
17 *activity, place or other matter that is depicted on the plate.*

18 3. *If, on October 1 of the year immediately succeeding the year in*
19 *which notice was provided pursuant to subsection 2, the total number of*
20 *validly registered vehicles to which a particular design of special license*
21 *plate is affixed is less than the number of initial requests required for the*
22 *design and preparation of that special license plate as set forth in*
23 *paragraph (a) of subsection 3 of section 3 of this act, the director shall*
24 *issue an order withdrawing that particular design of special license plate*
25 *from use.*

26 4. *If the director issues an order pursuant to subsection 3:*

27 (a) *The department shall provide notice of the order to each holder of*
28 *the special license plate withdrawn from use. In providing notice of the*
29 *order, the department may combine the notice with any documents*
30 *mailed to the holder for the renewal of the registration of the vehicle to*
31 *which the plate is affixed.*

32 (b) *The order must provide that a holder of the special license plate*
33 *withdrawn from use is not required to replace the withdrawn plate until:*

34 (1) *The holder renews the registration of the vehicle to which the*
35 *plate is affixed; or*

36 (2) *The registration of the vehicle to which the plate is affixed*
37 *expires,*
38 *whichever occurs first.*

39 **Sec. 7.** NRS 482.216 is hereby amended to read as follows:

40 482.216 1. Upon the request of a new vehicle dealer, the department
41 may authorize the new vehicle dealer to:

42 (a) Accept applications for the registration of the new motor vehicles he
43 sells and the related fees and taxes;

44 (b) Issue certificates of registration to applicants who satisfy the
45 requirements of this chapter; and

46 (c) Accept applications for the transfer of registration pursuant to NRS
47 482.399 if the applicant purchased from the new vehicle dealer a new
48 vehicle to which the registration is to be transferred.



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- 1 2. A new vehicle dealer who is authorized to issue certificates of
2 registration pursuant to subsection 1 shall:
- 3 (a) Transmit the applications he receives to the department within the
4 period prescribed by the department;
- 5 (b) Transmit the fees he collects from the applicants and properly
6 account for them within the period prescribed by the department;
- 7 (c) Comply with the regulations adopted pursuant to subsection 4; and
- 8 (d) Bear any cost of equipment which is necessary to issue certificates
9 of registration, including any computer hardware or software.
- 10 3. A new vehicle dealer who is authorized to issue certificates of
11 registration pursuant to subsection 1 shall not:
- 12 (a) Charge any additional fee for the performance of those services;
- 13 (b) Receive compensation from the department for the performance of
14 those services;
- 15 (c) Accept applications for the renewal of registration of a motor
16 vehicle; or
- 17 (d) Accept an application for the registration of a motor vehicle if the
18 applicant wishes to:
- 19 (1) Obtain special license plates pursuant to NRS 482.3667 to
20 482.3825, inclusive ~~H~~, *and sections 2 to 6, inclusive, of this act*; or
- 21 (2) Claim the exemption from the vehicle privilege tax provided
22 pursuant to NRS 361.1565 to veterans and their relations.
- 23 4. The director shall adopt such regulations as are necessary to carry
24 out the provisions of this section. The regulations adopted pursuant to this
25 subsection must provide for:
- 26 (a) The expedient and secure issuance of license plates and decals by
27 the department; and
- 28 (b) The withdrawal of the authority granted to a new vehicle dealer
29 pursuant to subsection 1 if that dealer fails to comply with the regulations
30 adopted by the department.
- 31 **Sec. 8.** NRS 482.500 is hereby amended to read as follows:
- 32 482.500 1. Except as otherwise provided in subsection 2 or 3,
33 whenever upon application any duplicate or substitute certificate of
34 registration, decal or number plate is issued, the following fees must be
35 paid:
- 36 For a certificate of registration \$5.00
- 37 For every substitute number plate or set of plates 5.00
- 38 For every duplicate number plate or set of plates 10.00
- 39 For every decal displaying a county name50
- 40 For every other decal, license plate sticker or tab 5.00
- 41 2. The following fees must be paid for any replacement plate or set of
42 plates issued for the following special license plates:
- 43 (a) For any special plate issued pursuant to NRS 482.3667, 482.3672,
44 482.3675, 482.370 to 482.376, inclusive, or 482.379 to 482.3816,
45 inclusive, *and section 3 of this act*, a fee of \$10.
- 46 (b) For any special plate issued pursuant to NRS 482.368, 482.3765,
47 482.377 or 482.378, a fee of \$5.



1 (c) For any souvenir license plate issued pursuant to NRS 482.3825 or
2 sample license plate issued pursuant to NRS 482.2703, a fee equal to that
3 established by the director for the issuance of those plates.

4 3. A fee must not be charged for a duplicate or substitute decal
5 requested pursuant to NRS 482.37635.

6 4. The fees which are paid for duplicate number plates and decals
7 displaying county names must be deposited with the state treasurer for
8 credit to the motor vehicle fund and allocated to the department to defray
9 the costs of duplicating the plates and manufacturing the decals.

10 5. As used in this section:

11 (a) "Duplicate number plate" means a license plate or a set of license
12 plates issued to a registered owner which repeat the code of a plate or set of
13 plates previously issued to the owner to maintain his registration using the
14 same code.

15 (b) "Substitute number plate" means a license plate or a set of license
16 plates issued in place of a previously issued and unexpired plate or set of
17 plates. The plate or set of plates does not repeat the code of the previously
18 issued plate or set.

